

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**Application No. 16380** of The Buehite Children's Trust, pursuant to 11 DCMR 3107.2, for variances from Subsections 1706.2, 1706.3 and 1706.4(b), the requirement to provide residential uses, and a variance from the parking requirements of Subsection 2101.1 for a 72-room inn in a DD/C-2-C District at premises 450 H Street, N.W. (Square 518, Lot 103).

**HEARING DATE:** September 16, 1998  
**DECISION DATE:** September 16, 1998 (Bench Decision)

**SUMMARY ORDER**

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 2C and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 2C. ANC 2C, which is automatically a party to this application, did not file a written statement.

As directed by 11 DCMR 3324.2, the Board required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for variances from the strict application of the requirements of 11 DCMR 1706.2, 1706.3, 1706.4(b) and 2101.1. No person or entity appearing as a party to this case testified in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3107.2, that there exists an exceptional or extraordinary situation or condition related to the property which creates a practical difficulty and an undue hardship for the owners in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map. It is therefore **ORDERED** that this application be **GRANTED**.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.1 that findings of fact and conclusions of law accompany the order of the Board. The waiver will not prejudice the rights of any party, and is appropriate in this case.

**VOTE: 3-0** (Betty King, Jerry H. Gilreath and Sheila Cross Reid to grant.)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

ATTESTED BY:   
**SHERI M. PRUITT-WILLIAMS**  
**Interim Director**

**FINAL DATE OF ORDER:** SEP 24 1998

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**BZA APPLICATION NO. 16380**

As Interim Director of the Board of Zoning Adjustment, I hereby certify and attest that on SEP 24 1998 a copy of the order entered on that date in this matter was mailed first class, postage prepaid, to each party who appeared and participated in the public hearing concerning the matter and who is listed below:

Nathan Gross  
Peter Szegedy-Maszak  
Arnold and Porter  
555 12<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-1206

The Bucheit Children's Trust  
4255 Devonshire Drive  
Youngstown, Ohio 44512

Anna Ruiqin Wang  
Wahne Clark  
AA International Trade & Investment, Inc.  
8107 Karl Road  
Alexandria, VA 22308

ATTESTED BY:

A handwritten signature in cursive script, reading "Sheri M. Pruitt-Williams", is written over a horizontal line.

SHERI M. PRUITT-WILLIAMS

Interim Director

FINAL DATE OF ORDER: SEP 24 1998